CHAPTER SIX

Land Use Analysis Program

A CMP must contain a program to analyze the impacts of land use decisions made by local jurisdictions on regional transportation systems. The program must generally be able to estimate the costs associated with mitigating those impacts, as well as provide credits for local public and private contributions to improving regional transportation systems.

The law does not change the role of local jurisdictions in making land use decisions or in determining the responsibilities of project proponents to mitigate possible negative effects of projects. However, the CMA has the ability to apply certain sanctions, as described in Chapter 8, if the local agency does not comply with the requirements of the law.

The intent of the Land Use Analysis Program is to:

- Better integrate local land use and regional transportation facility decisions;
- Better assess the impacts of development in one community on another community; and
- Promote information sharing between local governments when the decisions made by one jurisdiction will have an impact on another.

The Land Use Analysis Program is a process designed to improve upon decisions about land use developments and the investment of public funds on transportation infrastructure in Alameda County. To work best, the CMA is involved at the very early stages of the development process, maximizing intergovernmental contacts before major decisions are completed. The process is intended to work in a positive, cooperative fashion that supports the needs of local, county, regional and state governments.

WHAT'S INCLUDED IN THE LAND USE ANALYSIS

With the passage of the federal ISTEA of 1991, MTC was required to develop a MTS that included both transit and highways. MTC contracted with the CMAs in the Bay Area to help implement the federal legislation and to use the CMPs to link land use decisions to the MTS. Therefore, a distinction is made

between the CMP-network, which is used for monitoring conformance with the LOS standards and the MTS[24], which is used for the Land Use Analysis Program.

By using the MTS for the Land Use Analysis Program, impacts on the CMP-network will continue to be identified, since it is a subset of the MTS. The broader definition of "regional transportation systems" will encourage early identification of impacts on a larger system of roadways and explicitly include transit system impacts. Proactive responses to potential impacts may occur during:

- Corridor or areawide studies;
- Preparation of local or regional CIP; or
- Environmental review of specific land developments and transportation improvements.

The CMA acts as resource to local governments in analyzing the impacts of proposed land use changes on regional transportation system. This includes providing the travel-demand model to produce forecasts for proposed General Plan Amendments (GPA) and other large-scale developments, if the local jurisdiction publishes a Notice of Preparation (NOP) for an Environmental Impact Report (EIR). CMA staff could be involved in discussing impact assessment approaches and impacts on the MTS. CEQA already provides a framework for such assessments. The CMP process maximizes use of the CEQA process, while also filling in some gaps that the Act may not address.

PROJECTS SUBJECT TO REVIEW

The purpose of the CMA review of projects is to assure that regional impacts are assessed, appropriate mitigations are identified, and that an overall program of mitigations can be implemented. The CMA will review transportation analyses of proposed land developments when a GPA and/or an EIR are required. For EIRs, the CMA will review and comment appropriately on NOP, draft, supplemental and final documents. A description of each of these follows.

Projects Requiring General Plan Amendments

The CMP identifies GPAs as the most appropriate stage of review to consider because:

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[24] In 2005, MTC updated the MTS to include Rural Major Collector streets and higher based on the Federal Functional Classification System (FFCS). The updated MTS is used by MTC for the purposes of funding and programming as well as in estimating roadway maintenance needs. The updated MTS was reviewed by ACTAC during the 2009 CMP Update to determine its usefulness and applicability to the Land Use Analysis Program. Based on ACTAC's input and discussions with MTC, it was determined that the updated MTS was not appropriate for the Land Use Analysis Program because it was too detailed for planning purposes and the previous version of the MTS would continue to be used.

- GPAs are normally processed well before any construction takes place. This provides more time for transportation impacts to be analyzed and mitigated than would be available if the review took place closer to actual project construction.
- GPAs may only be considered by a city or county four times during any calendar year, by state law. This reduces the complexity and effort involved in CMA review.
- Most (but not all) GPAs are of a significant size.

Projects Consistent with Existing General Plans

In cases where development is consistent with existing general plan guidelines, GPAs are not the most relevant unit of impact analysis. In those cases, timing becomes the key factor. If decisions about transportation infrastructure investment occur at a slower pace than land development, the result can be deterioration in operations on the existing MTS. Large-scale projects that are consistent with existing general plans, but which may impact the regional transportation system, often require the preparation of an EIR.

In 1995, the CMA adopted the following policy for addressing large-scale development projects that are consistent with a general plan:

> *All notices of preparation of EIRs be forwarded to the CMA for comparison with the 100-trip threshold and, if exceeded, the CMA will review and comment including requests for consideration of transportation impacts and mitigation measures to MTS facilities in the same manner as the current policy for GPAs.*

Development Sponsored by Non-Local Jurisdictions

For purposes of the CMP, a local jurisdiction is defined as a city, county, or a city and county. However, other agencies such as colleges, universities, the Port of Oakland and federal facilities (Lawrence Livermore National Laboratory, for example) also have land use discretion which could affect the operation of the MTS.

Development sponsored by state or federal agencies does not require local permitting approval and thus the CMA may not be notified of pending development. In order to correct this, for projects that meet the threshold requirements and require an EIR/environmental impact study, CMA requests these agencies submit environmental documents for CMA review and comment.[25]

[25] For purposes of compliance with the Land Use Analysis Program, the Port of Oakland is considered a governmental subdivision of the city of Oakland. Thus, the Port shall be required to submit environmental documents to the CMA for review and comment subject to meeting the threshold criteria and preparation of an EIR/environmental impact study.

DEVELOPMENT REVIEW PROCESS

The tiered land use analysis process described below applies to projects requiring GPAs (Tier I[a]) and NOPs for EIRs for projects consistent with an adopted general plan (Tier I[b]). A summary of the Tier 1 requirements is presented in Table 12 and the development review process for Tier 1 is shown in Figure 11. The method of analysis is further detailed in the Land Use Analysis CMP Technical and Policy Guidelines (see Appendix G). For analysis of transportation impacts on the MTS roadways, 2000 Highway Capacity Manual will be used.

The CMA will be responsible for determining whether a project meets the 100 p.m. peak-hour trip-generation threshold criteria. The p.m. peak hour was chosen because in most Alameda County cities, traffic is worse in the p.m. peak hour than in the morning or weekend peak periods. The 100-trip threshold was chosen because it is the level at which most cities ordinarily require a traffic impact study to be prepared. Examples of projects that can generate 100 or more p.m. peak hour trips are: 100 or more single-family homes, 165 apartment units or 135 hotel rooms or more than 45,000 gross square feet of office space. It must be noted that such projects, when part of a proposed GPA, would only qualify for review if they generated 100 *more* p.m. peak-hour trips than the existing land use designation.

Tier I (a)—General Plan Amendments

The CMA reviews GPAs, concurrent with the city's or county's approval process. The CMA will review impacts of the proposed GPAs on the MTS through existing environmental review processes conducted by the local agencies. Upon receiving the initial GPA application, the local agency will forward the GPA proposal to the CMA consistent with the Technical and Policy Guidelines (see Appendix G). The local agency will analyze the data and identify any necessary mitigations as part of the environmental process.

Analysis at the GPA stage—rather than at the project stage—allows cities to proactively plan development, taking into account regional transportation impacts and providing ways to finance transportation costs in advance of development proposals at the tentative map stage or later.

Local jurisdictions are responsible for modeling the proposed general plan amendment using the most recent CMA-certified travel-demand model. The local agency will then send the environmental document to the CMA for a 30- to 45-day review and comment period. The local agency will send a copy of both the draft and final decision/notice of determination to the CMA so that the data may be incorporated into the countywide travel model's land use database, thus keeping it current.

Table 12—Tier I Requirements

ACTION	GENERAL PLAN AMENDMENTS	NOTICES OF PREPARATION
Submit to CMA	Mandatory	Mandatory
Timeframe for submittals	Ongoing	Ongoing
CMA comments	Yes, if project generates at least 100 p.m. peak period trips more than the adopted general plan land use designation	Yes, if project generates 100 p.m. peak period trips (or more) above and beyond expected trips based on existing land use designation

General plan categories can encompass a fairly wide range of trip generators. For example, a parcel may be zoned for "Medium-High Density Residential, 16-30 units per acre." There is a variation of almost 100 percent between the low and high ends of the allowable density. A variety of land uses with a wide range of trip generation may be allowed within a single zoning designation. In both cases, market conditions at the time of construction will dictate the actual uses. Until then, reasonable assumptions will have to be made regarding the specific trip generation characteristics input to the model.

Tier I(b)—Large-Scale Projects Consistent with General Plan: Notices of Preparation

This tier involves a CMA review of NOPs of EIRs, concurrently with the jurisdiction's approval process. Every NOP and draft and final environmental document will be forwarded to the CMA for review. The CMA will be responsible for determining whether an application meets the threshold criteria for CMA review and comment. The same review and modeling process described under Tier I(a) applies to Tier I(b).

Tier II

CMA staff will evaluate Tier II projects based on ABAG's latest land use projections (typically published in even-numbered years). This evaluation will include local input on the distribution of ABAG projections within each jurisdiction. Local jurisdictions will have 60 days to provide input on how their respective ABAG projections will be distributed by traffic analysis zones.

ABAG-consistent data (at the countywide level and for each jurisdiction) will always be used for CMP purposes other than the Land Use Analysis Program.

Analysis of Impacts:

Once the CMA determines that a project meets the 100 p.m. peak hour trip generation threshold criteria, the request for analysis of impacts is done through the environmental review process. The CMA's response to a GPA or a Notice of Preparation for an environmental document requests that a traffic impact study be done and that mitigations be identified. The traffic study components to be addressed in the environmental document by the jurisdiction under the CMP Land Use Analysis Program requirements are summarized below and a sample letter is found in Appendix H.

- *Modeling requirements*
  Local jurisdictions are responsible for conducting the model runs using the Countywide Travel Demand Model. Modeling requirements are described under "Responsibility for Modeling" and "Local Government Responsibilities" sections of this chapter. More information on the Countywide Travel Demand Model can be found in Chapter 9- Database and Travel Model.

- *Impacts on the Metropolitan Transportation System (MTS)*
  Potential impacts of the project on the roadway and transit MTS need to be addressed. Details on the MTS can be found in Chapter 2- Designated Roadway System. Specific MTS routes in various parts of the county are shown in Figures 2 through 7 of Chapter 2.

- *Adequacy of Mitigation Measures*
  Mitigation measures must be adequate to sustain CMP service standards for roadways and transit and must be fully funded. The section on Relationship to California Environmental Quality Act (CEQA) of this chapter describes the background and the requirements of project impact mitigation measures.

- *Impacts on Transit*
  Impacts of the project on CMP transit levels of service must be analyzed. Details on how to address the potential impacts on transit levels of service can be found under the section entitled 'Relationship to Transit' in this chapter. Additional information related to transit performance measures can be found in Chapter 4- Performance Element.

- *Travel Demand Management (TDM) Strategies*
  The CMA encourages using various TDM strategies to reduce auto trips and congestion thereby reducing the need for new roadway facilities and making the most efficient use of exiting facilities. More details on the TDM strategies can be found in Chapter 5-Travel Demand Management Element.

- *Bicycle and Pedestrian improvements*
  Opportunities to promote bicycle and pedestrian improvements identified in the Alameda Countywide Bicycle Plan and Alameda Countywide Pedestrian Plan adopted by the CMA should be considered.

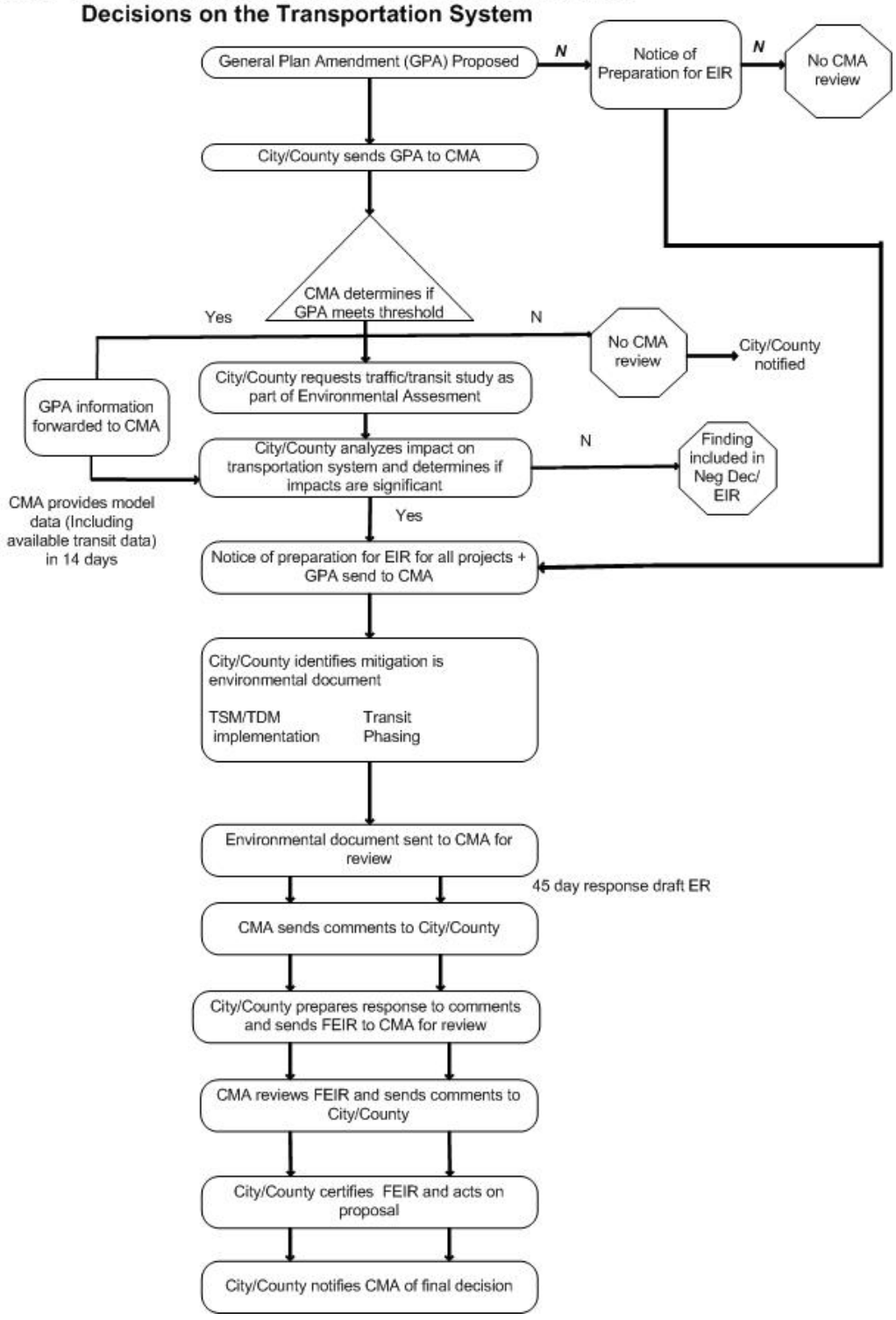
- *Noise Impacts*
  For projects adjacent to state roadway facilities, noise impacts of the projects should be analyzed.

- In addition to the above, a new item will be added to the request for analysis of impacts in 2009. As part of the environmental documentation for a Transit Oriented Development (TOD), jurisdictions are encouraged to analyze a comprehensive TOD Program, which includes environmentally clearing all access improvements necessary to support TOD development. More details on this can be found under Transit Oriented Development section of this chapter.

RESPONSIBILITY FOR MODELING

The current countywide model is updated to reflect ABAG's forecasts in *Projections 2007* for horizon years 2000, 2005, 2015 and 2035. The recently updated countywide model is based on MTC's regional model. The CMA Board amended the CMP requirements on March 26, 1998 so that local jurisdictions are responsible for travel-demand modeling. A countywide model agreement between the jurisdiction/agency and the CMA is required before the model information can be released to the jurisdiction/agency or its consultant.

Figure 11 – Assessing the Impacts of Local Development Decisions on the Transportation System



AREAWIDE TRAFFIC IMPACT MITIGATION FEES

An areawide traffic impact fee and/or revenue measure such as one establishing an assessment district could generate funds necessary to plan and implement transportation mitigation measures related to land development. The fee could be collected and expended in specified zones within the county. Traffic impact fees are in the CMP law as a proactive method of addressing transportation needs arising from land development. Such fees or measures could be negotiated as part of the corridor/area management planning process described later in this chapter.

The CMA conducted a feasibility study for a countywide or areawide traffic mitigation fee to address the impacts of land development on the regional transportation system. The study evaluated advantages, disadvantages, opportunities and constraints of implementing traffic impact mitigation fees on a multi-jurisdictional basis.

The study recommended that the CMA not proceed with an areawide traffic impact fee at that time. Among other things, there was not enough strength in the local economy to support higher fee levels. Also, there was concern that a new fee would constrain growth, particularly in urban areas where redevelopment projects already face higher costs than in suburban areas.

The study also recommended that the CMA adopt the following policies:

- Support agreement among local jurisdictions to adopt an areawide fee within a planning area;
- Identify projects of countywide significance; and
- Consider integrating adoption of a countywide fee with a campaign for a sales tax extension or gas tax increase so the development community and the voters each see a benefit in sharing costs with the other.

The Tri-Valley Transportation Council has adopted an areawide traffic fee. The fee is applied to regional transportation improvements in the Tri-Valley Transportation Expenditure Plan. The City of Livermore also adopted a traffic-mitigation fee in 2001 to fund regional transportation projects in Livermore. If such an areawide traffic- and/or transit-impact fee is adopted in the future, it will include a system of credits, so that developments that have paid once for a regional traffic (and/or transit) improvement will not be unfairly “double billed” for contributions to the same improvement. Credits for some local impact improvements may also be considered.

The CMA intends to continue to re-evaluate the feasibility of countywide or area-wide impact fees as part of the MTC/CMA Transportation and Land Use Work Program and in light of the passage of SB 375, discussed later in this chapter.

CORRIDOR/AREA MANAGEMENT TRANSPORTATION PLANNING PROCESS

In 1994 the CMA adopted a corridor/areawide transportation management planning process, which is described in the *Countywide Transportation Plan*. The process is based on cooperative planning and coordinated action by local governments, Caltrans, transit agencies, the CMA and MTC. The CMA uses the corridor/areawide management planning process to identify needed mitigation measures and for linking its funding decisions to needed mitigations.

In a corridor/area management planning effort, participants address how to:

- Reconcile the competing demands that local and long-distance traffic make on the capacity of the freeway system;
- Reconcile continuing population and employment growth with the finite capacity of the freeway system;
- Reconcile the movement of people and goods;
- Prevent pass-through traffic from using local streets;
- Reconcile HOV lanes with plans to meter freeway ramps;
- Pair ramp metering with geometric metering at gateways to the metropolitan area; and
- Coordinate the operation of freeways and parallel arterials and when and where to rely on transit as a corridor's primary strategy of traffic management.

As defined in the Alameda *Countywide Transportation Plan*, the underlying principles for the process are based on the following:

- The CMA should support, where appropriate, local plans to enhance the productivity of transit investment through such measures as supportive zoning, urban design/planning and development approvals.
- The CMA should give investment priority to those highway and transit operational improvements and major capital projects that are identified in the corridor/areawide management planning process.
- The CMA recognizes that land use planning is solely the purview of local governments.

Examples of corridor/areawide management planning efforts include the San Pablo Avenue Corridor, I-880 Corridor, Central County Freeway Study, and the Triangle Study.

TRANSIT-ORIENTED DEVELOPMENT

TOD provides high-density and pedestrian-oriented development accessible to transit and other non-motorized forms of transportation. It focuses on establishing a mix of uses, such as employment, residential and retail town centers near transit hubs to provide intermodal opportunities (e.g., BART, bus, autos, bicycling, walking) to reduce reliance on single-occupant vehicles.

BART, the local jurisdictions and community groups in Alameda County support opportunities for Transit-Oriented Development (TOD). Examples of completed TOD projects are the Fruitvale BART Transit Village in Oakland and the downtown Redevelopment Program and the Cannery Area in Hayward. Projects either underway or included in the *Countywide Transportation Plan* are transit villages at MacArthur BART, West Oakland, Coliseum, San Leandro, Warm Springs in Fremont, Union City Intermodal, Dublin/Pleasanton BART and Ed/Roberts Campus in Berkeley.

In support of TOD, the CMA and MTC have set aside Transportation for Livable Communities (TLC) funds to be used as an incentive to local agencies that support and expedite the approval of TOD within their jurisdiction. ABAG has established the FOCUS program to encourage partnerships between regional and local agencies to increase housing near transit, encourage compact and walkable development, and preserve open space. FOCUS includes regional TLC funding for TOD and designated priority development and conservation areas (PDAs and PCAs). A list of 27 planned and potential PDAs in Alameda County are shown on Table 13. The CMA has established a Transit Oriented Technical Assistance Program (TOD-TAP) and a TOD Fund Monitoring Program to assist project sponsors in advancing their projects.

Further, local jurisdictions are encouraged to consider a comprehensive TOD Program, including environmentally clearing all access improvements necessary to support TOD development, in their environmental documentation.

REGIONAL AGENCIES' SMART GROWTH STRATEGY

ABAG—in conjunction with BAAQMD, the San Francisco Bay Conservation and Development Commission, MTC, the Regional Water Quality Control Board and the Bay Area Alliance for Sustainable Development completed the Regional Alliances Smart Growth Strategy Bay Area Alliance for Sustainable Development Regional Livability Footprint Project. The overall goal was to achieve support among public officials, civic leaders and stakeholder organizations for a preferred land use pattern that will inform decision-makers on how the Bay Area could grow over the next 20 years. The study resulted in SMART Growth Projections 2003, focusing development in the urban core. Projections 2003 land use was used to update the *Regional Transportation Plan* in 2005. The subsequent Projections series

developed by ABAG, Projections 2005 and Projections 2007, continued to be based on the Smart Growth concept. The 2009 update to the *Regional Transportation Plan* used Projections 2007.

Table 13

Priority Development Areas by County

Alameda County

Area	*Designation*
Alameda County: *Urban Unincorporated Area*	Potential
City of Alameda: *Alameda Naval Air Station*	Planned/Potential
City of Berkeley: *Adeline Street*	Planned
City of Berkeley: *Downtown Berkeley*	Planned
City of Berkeley: *San Pablo Avenue*	Planned
City of Berkeley: *South Shattuck*	Planned
City of Berkeley: *Telegraph Avenue*	Potential
City of Berkeley: *University Avenue*	Planned
City of Dublin: *Dublin Transit Center*	Planned
City of Dublin: *Town Center*	Planned
City of Dublin: *West Dublin BART Station Area*	Planned
City of Emeryville: *Emeryville Mixed Use Core*	Planned
City of Fremont: *Centerville*	Planned
City of Fremont: *Central Business District*	Planned
City of Fremont: *Irvington District*	Planned
City of Hayward: *Downtown*	Planned
City of Hayward: *South Hayward BART Station Area*	Planned
City of Hayward: *The Cannery*	Planned
City of Livermore: *Downtown*	Planned
City of Newark: *Dumbarton Rail Station Area*	Potential
City of Newark: *Old Town*	Potential
City of Oakland: *Corridors and Station Areas*	Potential
City of Pleasanton: *Hacienda*	Potential
City of San Leandro: *Bay Fair BART Station Area*	Planned
City of San Leandro: *Downtown*	Planned
City of San Leandro: *East14th Street*	Planned
City of Union City: *Intermodal Station District*	Planned

Regional Transit Expansion Program (RESOLUTION 3434)

The Regional Transit Expansion Program adopted by MTC in 2001 as Resolution 3434 identifies the regional commitment to transit investments in the Bay Area. It has been amended many times. The most recent amendment in September 2008 identifies a nearly $18 billion investment in new rail and bus

projects that will improve mobility and enhance connectivity for residents in Alameda County and the Bay Area.

It includes a Transit-Oriented Development (TOD) Policy to condition transit expansion projects funded under Resolution 3434 on supportive land use policies. There are three key elements of the regional TOD policy:

- Corridor-level thresholds to quantify appropriate minimum levels of development around transit stations along new corridors;
- Local station area plans that address future land use changes, station access needs, circulation improvements, pedestrian-friendly design and other key features in a TOD; and
- Corridor working groups that bring together CMAs, city and county planning staff, transit agencies, and other key stakeholders to define expectations, timelines, roles and responsibilities for key stages of the transit project development process.

This policy is relevant within Alameda County for the following transit extensions:

- BART to San Jose
- Dumbarton Rail
- Ferry service extensions in Alameda and Berkeley
- AC Transit Bus Rapid Transit in Berkeley/Oakland/San Leandro

The CMA is working with the local jurisdictions, transit providers, congestion management agencies in adjoining counties, ABAG and MTC to address the policy in these corridors.

A companion resolution, Resolution 3357, articulates rail extension and improvement criteria and regional express bus and rapid bus program criteria. These criteria shall be considered during the funding process for the identified transit projects. The land use component of the criteria is included in the T Plus Work Program as noted below.

MTC/CMA Work Program—"T Plus"

In April 2003, MTC in partnership with the Bay Area CMAs, adopted a work program to better integrate transportation and land use decisions. The program was initiated in FY 2003-04 and includes the following tasks: administration of TLC; Smart Growth Policy Development and Program Implementation; Actions to support Resolution 3434–Regional Transit Expansion Program, Mitigation Programs and various workshop and training efforts.

A Task Force composed of staff from local jurisdictions, transit operators, MTC, ABAG and Caltrans is working with the CMA to implement the program. The CMA Board adopted policies relating to SMART Growth and TOD in 2004. Policies were included in the *Countywide Transportation Plan* and are being

amended into the CMP, as appropriate. As part of the work program, CMA initiated a Transit Oriented Technical Assistance Program (TOD-TAP) and a TOD Fund Monitoring Program to assist project sponsors in advancing their projects.

RELATIONSHIP TO CALIFORNIA ENVIRONMENTAL QUALITY ACT

Under CEQA, local governments still have lead agency responsibility for preparing EIRs and conducting the associated transportation analyses. Local governments are responsible for proposing and analyzing methods to reduce negative effects on the transportation system. The CMA will comment throughout the EIR process, keeping local governments informed about the adequacy of the analyses and approving the use of any local or subarea transportation models used, or providing the local agency with access to information from the countywide travel model on cumulative impacts of projects.

In the case of smaller projects, local governments may wish to require project proponents to enter an agreement to provide a "fair share" portion for mitigating a cumulative impact. This addresses the legislative requirement that the CMP must be able to estimate costs associated with mitigating transportation impacts.

Environmental documents will typically identify impact mitigations for the proposed project. Two questions arise relative to mitigation proposals in environmental documents:

- Are the mitigation measures adequate to sustain the service standards in the CMP?
- Are the mitigation measures fully funded? If the environmental document shows full funding of mitigation measures, is the project sponsor expecting state or federal funding for all or a portion of the measures?

If transportation mitigation measures are inadequate and/or are underfunded, there may be significant implications for the regional transportation system. Either might result in failure to meet LOS standards, triggering potential non-conformance and the need for a deficiency plan. Furthermore, an environmental document may rely on state or federal funding of mitigation measures. Such funding may not be consistent with CMA project funding priorities. The CMA's policy regarding mitigation measures is:

- Mitigation measures must be adequate to sustain CMP roadway and transit service standards;
- Mitigation measures must be fully funded to be considered adequate; and
- Mitigation measures that rely on state or federal funds directed by or influenced by the CMA must be consistent with project funding priorities established in the CIP of the CMP, the *Countywide Transportation Plan* and the *Regional Transportation Plan*, or the Federal *Transportation Improvement Program.*

In addition, the CMA is using the corridor/areawide management planning process, as adopted in the *Countywide Transportation Plan,* to identify needed mitigation measures and for linking its funding decisions to needed mitigations.

Where disputes arise between two agencies as a result of the potential impacts of a project, the CMA may act as a mediator, if requested by one of the parties involved. Under the intent of the law, the CMA will require local agencies to establish a program for securing funding to mitigate the transportation impacts of their land use decisions. The mitigations and funding sources may be the same as, but not limited to, those proposed in the CEQA process.

Techniques other than using the countywide travel model are available for assessing possible transportation impacts on the MTS. These techniques are documented in the HCM, and may be used, at the local jurisdiction's option, to help assess the impacts on the MTS even when the CMA does not require such analysis. The 2000 HCM be used for this purpose. The local jurisdiction may want to do this to assure itself that a given project approval will not endanger its compliance with CMP standards.

RELATIONSHIP TO TRANSIT

Overview

To fully address the relationship between land use development and impacts on the regional transportation system, transit operators must be included in the land use planning and approval processes. Through the CMP process, local jurisdictions are encouraged to develop and maintain a transit component of their General Plan Circulation Element. Also, local jurisdictions can provide a forum for the transit operators to participate more actively in land use decisions.

Policies

The CMA encourages local jurisdictions to:

- Consider transit impacts of new developments as part of site "traffic" impact studies.
- Include documentation of existing ridership and loads on transit lines serving new development, and assessing the impacts on usage (additional trips) on those lines in their environmental impact analysis process.
- Require transit mitigation of new developments, for both capital improvements and possibly operational costs, if transit services need to be added or enhanced due to new development.
- Include a transit section in their General Plan Circulation Element; AC Transit's "Designing with Transit," can assist in the development of this section.

- Include the appropriate transit operators in the land development review process; AC Transit's "Designing with Transit" should be used to increase transit use to the site through appropriate design treatment.
- Use transit as a mitigation measure for traffic and air quality impacts, in conjunction with the efforts of the transit operators. This could be accomplished through transit subsidies to employees and parking charges.
- Promote new development along existing and funded new transit routes.
- Reduce parking requirements for development that occurs along existing transit services.
- Coordinate traffic signals within their own jurisdictions and with other jurisdictions on arterial streets served by transit, and provide traffic signal priority for buses on major bus routes.
- Consult with appropriate transit operators before placing bus pullouts on major bus routes.

Environmental Assessment Checklist

Local jurisdictions can use the following environmental assessment checklist for guidance regarding design elements in development proposals that could facilitate the provision of transit services. The list has been divided into two sections: development in areas with transit services and development in areas without transit service. This list is not intended to cover all aspects of every development, nor is it intended to replace transit operator review of specific environmental documentation. Greater detail on these and other design issues can be found in the two AC Transit documents referenced earlier.

Development near Transit Services

- Transit planners consider one-fourth of a mile on either side of a bus line or transit station the prime "catchment" area for that line. This general rule should be applied to determine if a development is "near" transit services.
- The number of trips generated by the project and its impact on the existing transit service need to be addressed. If the trip generation cannot be absorbed with the current transit capacity, the environmental document should address ways of mitigating these impacts.
- Pedestrians must have access between the transit service and the development. The site plan should provide good access between buildings and from buildings to the transit stops. Sidewalks should be provided on both sides of all streets to provide access to bus stops. Sidewalks and curb cuts at intersections should be designed for handicapped accessibility. Designs should avoid requiring pedestrians to walk through parking lots to access transit service.
- Where the environmental document raises the possibility of private shuttle services, a cost analysis of providing this service versus subsidizing existing transit service should be included.

Development in Areas without Transit Services

- An environmental review of a development in an area without transit service should be extensive, to avoid a design which precludes the extension of transit services.
- The number of trips should be assessed of possible demand generated for new transit services. If development is significant enough to create a strong demand for services, the environmental review should address a funding mechanism for the service. No statements should be made regarding the possible extension of transit services without consultation with the affected transit operator(s).
- Traffic lanes must be at least 11 feet wide to provide for satisfactory bus operation.
- Sidewalks should be provided.
- Intersection turning radii: It is desirable to have a corner radius of 30 to 55 feet (based on proximity of curb parking) in order to expedite right turns to and from through lanes.
- Roadway grades: Roadways prepared for bus service should have grades equal to or less than 12 percent for both uphill and downhill operations. Grades of eight percent or less are desirable.
- Traffic Index for Pavement Design: In order for the streets in a development to support bus traffic, their traffic index should be at least 8.0.
- A continuous, safe system of bicycle facilities such as bike lanes and paths , including support facilities such as lockers should be considered.

RELATIONSHIP TO SB 375

Climate change awareness and the urgency to reduce greenhouse gases (mainly carbon dioxide) has become a driving force in the transportation realm. Adopted in 2008, Senate Bill 375 – Redesigning Communities to Reduce Greenhouse Gases - mandates an integrated regional land-use and transportation planning approach to achieve targets for reducing greenhouse gas emissions from automobile/light trucks. The focus is on reducing vehicle miles travelled (VMT).

In the Bay Area, MTC is required to update the Regional Transportation Plan (RTP) every four years. With SB 375, MTC is required to develop a Sustainable Communities Strategy (SCS) as part of the next RTP update for 2013. The 2009 RTP (T2035), adopted in April 2009, is based on ABAG's *Projections 2007* and includes some reduction targets on a voluntary basis. Among other things, the SCS is to (a) lay out how development patterns and the transportation network can be integrated to help reduce greenhouse gas emissions; (b) identify how the region's housing needs will be met; (c) improve modeling of land-use and transportation; and (d) be congruent with local general plans, specific plans and zoning. If the SCS is unable to achieve the reduction targets, MTC would have to develop an Alternative Planning Strategy, decoupled from the RTP, in order to achieve the reduction targets.

In this context, land-use is indubitably intertwined with transportation issues. To address the requirements of SB 375, the CMA initiated a working group of local and County agencies to collaborate and coordinate on addressing climate change by focusing on transportation strategies. This group was expanded to coordinate with efforts underway by Alameda County. At its December 2008 Board retreat, the CMA Board also expressed qualified support for pursuit of CMA climate action –related transportation strategies, and an exploration of how those would relate to local land-use strategies.

As all local jurisdictions in Alameda County have initiated steps towards developing climate action plans, most of which include consideration of:

- General Plan Elements – policy changes
- Zoning – policy changes
- Transit oriented development/design (TOD)
- Higher density land uses near transit
- Mixed use land uses near transit
- Street design standards – more inclusive of walking, biking and transit, i.e. Complete Streets
- Green building codes/standards

Based on these, the CMA has developed Climate Action priorities based on the transportation strategies that each local jurisdiction is contemplating or adopting, in order to see how the CMA can best support local efforts. These priorities are shown in Table 14. Additionally, MTC has developed a draft "Transportation, Land Use and Greenhouse Gases – A Bay Area Resource Guide" which provides an overview of the feasibility, potential impact and cost-effectiveness of forty-five strategies for climate action, including land use policies.

Parking Standards and Policies

Parking for automobiles is a significant but under-recognized factor in the relationship between land use and transportation. It has been customary for local jurisdictions to require development projects to provide a minimum number of parking spaces. Moreover, most parking is underpriced. These two factors encourage driving, leading to inefficient land use and more congestion. With the support of local jurisdictions, the CMA plans to explore and review parking policies and standards as a way to develop parking management strategies as a land use tool for local jurisdictions to promote alternative modes and reduce greenhouse gases. A Task Force has been formed to begin investigating strategies.

CEQA Reform

As public agencies have gained decades' of experience in applying CEQA and as new issues (such as global warming) emerge that were unanticipated by the original legislation, the State Office of Planning and Research has initiated a revision of CEQA with respect to the analysis and mitigation of potential effects of greenhouse gas emissions. Revising CEQA to broaden the analysis and mitigation options to take into account trips made by other modes than automobile trips, such as walking, biking, and transit would facilitate TOD projects. For the 2011 CMP, the CMA will work with its partners toward identifying a standard of multi-modal level of service to supplement existing service level methodologies.

Table 14 CMA PRIORITIES FOR CLIMATE ACTION MEASURES
2009-04-23

	Short (within 2 years) 2009-11	Medium (2 - 10 years) 2011-19	Long (10 - 25 years) 2019-34
Action	Technical assistance to local jurisdiction Climate Action Programs		
	Transit Oriented Development (TOD) programs - existing and expansion		
	Transporation Demand Management (TDM) programs - existing and expansion and monitoring		
Action/ Advocacy	Parking standards/policies		
	CMP - strengthen LU & TDM elements		
		Emissions - monitoring & evaluation	
		Traffic impact fee	
	Improvements in freight/services transportation		
	Standards of multi-modal 'level of service' (person throughputs) and standards for modeling Vehicle Miles Travelled		
	Transit service improvements - trips competitive with driving times		
Advocacy	New (not redirected) revenues for climate action implementation		
	Stronger vehicle fuel efficiency and emissions standards		
	CEQA reform		
	Alternative vehicle and vehicle-fuel technology		
	Improved albedo		
	Green building		
Institutional Roles	Partnerships with other agencies (local, regional, state)		
	Investigate potential for stronger role in land use planning in relation to transportation		

COMPLIANCE AND CONFORMANCE

The CMA is responsible for monitoring conformance with the adopted CMP[26]. Among the requirements, each city and county must have adopted and be implementing a land-use analysis program. While the CMA does not have the authority to approve or deny local developments, it may find the local jurisdiction in non-conformance. At the time of the finding, the CMA will provide recommendations for corrective actions. If after 90 days the local jurisdiction is still in non-conformance, the CMA is required to provide notice to the CTC and the State Controller. The notice includes the reasons for the finding and evidence that the CMA correctly followed procedures for making the determination.

The State Controller would then withhold the non-conforming jurisdiction's increment of subventions from the fuel tax made available by Proposition 111. The jurisdiction will not be eligible to receive funding for projects through the federal STP and CMAQ Program.

If within the 12-month period following the receipt of a notice of non-conformance, the CMA determines that the city or county is in conformance, the withheld Proposition 111 funds will be released. If after the 12-month period the city or county has not conformed, the withheld Proposition 111 funds will be released to the CMA for projects of regional significance included in the CMP or a deficiency plan.

If a proposed development was specified in a development agreement entered into prior to July 10, 1989, then it is not subject to any action taken to comply with the CMP, with the exception of those actions required for the trip-reduction and travel-demand element of the CMP.[27]

In some cases the CMA may find that additional mitigation measures are necessary to prevent certain segments of the CMP-network from deteriorating below the established LOS standards, before a conformance finding is made. In such cases, the CMA will require the local jurisdiction to determine whether the additional mitigation measures will be undertaken as a condition of project approval, or whether they will be implemented as part of a deficiency plan for the CMP-network segments affected.

LOCAL GOVERNMENT RESPONSIBILITIES

Local jurisdictions will have the following responsibilities regarding the analysis of transportation impacts of land use decisions.

- Modeling, using the most recent CMA-certified travel-demand model, all GPAs and large-scale projects consistent with general plans that meet the 100 p.m. peak-hour threshold. Model results shall be analyzed for impacts on the MTS and shall be incorporated in the environmental document.

[26] California Governement Code Section 65089.3
[27] California Government Code Section 65089.7

- Forwarding to the CMA all NOPs, draft EIRs/statements, final EIRs/statements and final disposition of the GPA/development requests.
- Working with the CMA on the mitigation of development impacts on the MTS.
- Biennially providing an update (prepared by the jurisdiction's planning department) of the estimated land uses likely to occur using ABAG's most recent forecast for a near-term and far-term horizon year; this land use information will be provided in a format that is compatible with the countywide travel model.

In addition, each local jurisdiction must demonstrate to the CMA that the Land Use Analysis Program is being carried out by September 1 of each year.